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V.O

APPLICATION NO. 58	FILING DATE 11/05/96	NAKATED	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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LM01/1109

EXAMINER
MDE, A

ART UNIT	PAPER NUMBER
2712	13

DATE MAILED: 11/09/98

Please find below and/or attached an Office communication concerning this application or proceeding.

See Attached.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
08/610,758

Applicant(s)

Nakatsu et al.

Examiner

Aung Moe

Group Art Unit

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☒ Responsive to communication(s) filed on Oct 13, 1998

☒ This action is FINAL.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-7 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-7 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☒ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☒ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☐ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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DETAILED ACTION

Claim Rejections - 35 USC § 112

1. Since Applicants have amended claims 4 and 5, bring them into compliance with 35 U.S.C. § 112, second paragraph, the Examiner has withdrawn of this rejection.

Response to Arguments

2. Applicants' argument filed on Oct. 13, 1998 have been fully considered but they are not persuasive.

In pages 3-4, the Applicants' argue that "Beveridge '492 discloses a sophisticated method of taking a still picture image, while permitting the user to "preview" a desired pose prior to the actual taking of the picture. Beveridge '492, like Finelli '676 does not suggest or teach printing a video picture recorded as continuous motion images by a video camera recorded."

The Examiner disagrees because Beveridge '492 clearly teaches that the use of a video camera (14) for obtaining a continuous sequence of video images, and a frame grabber (22) is selected the one of the video image frame from a plurality of video pictures recorded by a video camera (14) (see Fig. 2, col. 2, lines 15-45). Further, it is noted that the Beveridge '492 is merely used as a teaching reference to show a continuous motion images captured by the video camera 14, in this case, it is clear that the camera 14 of Beveridge '492 does in fact capture a continuous motion images because it is notoriously well-known that one frame of a video image (i.e., a

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continuous motion image) contains two fields of continuous motion images. In addition, the Applicants are reminded that one cannot show non-obviousness by analyzing references individually where, as here, the rejections are based on combinations of references.

In view of above, the combinations of cited references do in fact reads on the present claimed invention for at least the reasons discussed above. Therefore, the Examiner maintains the previous rejection as follows:

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CAR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103© and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

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4. Claims 1, 3, and 5- 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Finelli et al. (U.S. 4,937,676) in view of Beveridge et al. (U.S. 5, 621,492).

Regarding claim 1, Finelli '676 discloses, in Fig. 1, a video for printing on a printing paper as a hard copy (col. 6, lines 55-65), and the printer comprising: printer housing (12) to which a video camera (10) can be attached. As shown in Fig. 3, once the two are attached, they can communicate with each other through an interface (108, 112). Fig. 1 of Finelli '676 further shows that both the camera and the printer include an operation system (42 and 64, respectively). As discussed in col. 6 in the last paragraph, these interface systems can be used interchangeably. This is, the interface system on the printer can be used to control the camera.

It is noted that Finelli '676 does not explicitly show a continuous motion images captured by the video camera.

However, the above mentioned claimed limitation is notoriously well-known in the art as evidence by Beveridge '492. Moreover, Beveridge '492 teaches the use of the video camera which capture a continuous motion images (see Figs. 1 and 2; col. 2, lines 25-30, col. 3, lines 35-40). In this way, the user can choose a single desired image from the continuous sequence of images captured by the video camera (14) without wasting both people's time and cost.

Therefore, having the system of Finelli '676 and then given the well-established teaching of Beveridge '492, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Finelli '676 by providing the teaching of Beveridge '492 in order to provide low cost system for taking a self-portrait which allows a user a choice of

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a desired pose to be printed on a hard-copy medium without wasting users' time as taught by Beveridge '492 (see col. 1 and 2 of Beveridge '492).

As for claim 3, Finelli '676 shows in Fig. 2 that the printer has a pair of guide rails (74, 76) for mounting the camera so that the electrodes (78) of the two devices are lined up.

As for claims 5-6, Fig. 3 of Finelli '676 show that the printer includes a memory (80) which stores images transmitted to the printer from the camera.

As for claim 7, Finelli '676 shows a video camera operation switch and a printer operation switch (col. 3, lines 15-25 and lines 45-55).

5. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Finelli '676 in view of Beveridge '492 as applied to claims 1, 3 and 5-7 above, and further in view of Itoh et al. (U.S. 4,935,763).

Regarding claim 4, the combination of Finelli '676 and Beveridge '492 show that the printer includes a LCD display for displaying the images transferred from the video camera (see Fig. 1 of Finelli '676, and col. 2, lines 25-30; and Figs. 1 and 2 of Beveridge '492). Further, Finelli '676 discloses that images may be continuously shown on the display in a "shuttle ring" fashion (see col. 6, lines 35+).

However, the combination of Finelli '676 and Beveridge '492 do not explicitly show that the play mode, pause mode, fast-forward mode or rewind mode is displayed on the picture screen of a LCD monitor as specified in claim 4.

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The above mentioned claimed limitations are notoriously well-known in the art as evidenced by Itoh '763. Furthermore, Itoh '763 teaches that the play mode, pause mode, fast-forward mode or rewind mode is displayed on the picture screen of the LCD monitor in order to minimize the camera operation error and further enhance the user's conveniences (Fig. 12, col. 20, lines 10-30).

Therefore, having the system of combination of Finelli '676 and Beveridge '492 and then given the well-established teaching of Itoh '763, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Itoh '763 to the system of Finelli '676 for the purpose of minimizing the camera operation error and further enhancing the user's conveniences as suggested by Itoh '763.

6. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Finelli '676 in view of Beveridge '492 as applied to claims 1, 3 and 5-7 above, and further in view of Nagano et al. (U.S. 5,561,462).

Regarding claim 2, Finelli '676 does not explicitly state that the video camera includes a LCD display which the user uses to visually confirm images while the camera is attached to the printer. Finelli '676 shows that the printer includes a LCD display which is used by the user to visually confirm images.

However, it is notoriously well-known in the camera art that cameras include LCD displays. Nagano '462 is an example of an electronic still camera which includes a LCD display.

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As stated in col. 5, lines 50+, this LCD displays images. This make the camera more adaptable to being used while separated from the printer (as Finelli '676 states that it may be used) because the user may see the pictures without needing the bulk of having the camera connected to the printer if a printing function is not desired. For this reason, it would have been obvious to include a LCD display on the camera body, along with or instead of, the display located on the printer so that the user can view images when the camera is separated form the printer.

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CAR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CAR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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8. **Any response to this final action should be mailed to:**

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Or Faxed to:

(703) 308-9051, (for formal communications; please mark "**EXPEDITED
PROCEDURE**")

Or

(703) 308-5399 (for informal or draft communications, please label
"**PROPOSED**" or "**DRAFT**").

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,
Arlington, VA., Sixth Floor (Receptionist).


Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Aung S. Moe** whose telephone number is (703) 306-3021. The examiner can normally be reached on Monday-Friday from 9:00 A.M. to 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Wendy Garber**, can be reach on (703) 305-4929.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-4700.

A. Moe 

Nov. 6, 1998


Wendy Garber
Supervisory Patent Examiner
Technology Center 2700